

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

CHARLES H. LEE,

Plaintiff,

V.

**SWIFT TRANSPORTATION CO. OF
ARIZONA, LLC**

Defendant.

NO. 2:12-cv-02230-SHM-tmp

DEFENDANT'S MOTION FOR SUMMARY JUDGMENT

Defendant Swift Transportation Co. of Arizona, LLC, by and through counsel, and pursuant to Rule 56 of the Federal Rules of Civil Procedure and Local Rule 7.2, moves this Court to grant summary judgment to Defendant on the grounds that Plaintiff Charles H. Lee has failed to produce the evidence required, by deposition, affidavit, or otherwise, that would establish a disputed material issue of fact with regard to Plaintiff's claims of age discrimination, disability discrimination and retaliation. Based on the undisputed facts before the Court, Defendant is entitled to judgment as a matter of law as to all of Plaintiff's claims. In support of its Motion, Defendant relies upon its supporting Memorandum and attachments filed contemporaneously herewith.

WHEREFORE, premises considered, Defendant respectfully requests that the Court grant full Summary Judgment to Defendant.

Respectfully submitted,

FISHER & PHILLIPS, LLP

By: /s/ Betsy Weintraub
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CERTIFICATE OF SERVICE

I hereby certify that on July 12, 2013, I electronically filed the foregoing with the Clerk of Court using the ECF system, and sent a true and exact copy of the same via United States Mail, postage pre-paid, to Plaintiff, Charles H. Lee, at his mailing address, P.O. Box 390, Benton, Mississippi 39040.

/s/ Betsy Weintraub
Betsy Weintraub